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Notice of Allowability	Application No.	Applicant(s)	
	09/766,562	DUCLOS, MICHAEL B.	
	Examiner	Art Unit	
	Nittaya Juntima	2663	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/20/2004.
2. ☒ The allowed claim(s) is/are 1-4, 9, 11, 17, 23-27, 32-36, 38, 42, 44-45, 47, 51; renumbered as 1-22, respectively.
3. ☒ The drawings filed on 25 June 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____ |
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EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Brian Harris on 5/26/2005.

The application has been amended as follows:

In the claim:

Claims 10, 16, 22, 33, 43, and 52 have been cancelled.

In claim 1, line 20, following "status, ", insert -- , wherein the event status is selected from the group consisting of a FIFO overflow condition, a FIFO underflow condition, and a line status,--.

In claim 11, line 4, following "status", insert -- , wherein the event status is selected from the group consisting of a FIFO overflow condition, a FIFO underflow condition, and a line status--.

In claim 17, line 9, following "status,", insert --wherein and the event status is selected from the group consisting of a FIFO overflow condition, a FIFO underflow condition, and a line status, --.

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In claim 23, line 3, following “device” , insert --, wherein and the event status is selected from the group consisting of a FIFO overflow condition, a FIFO underflow condition, and a line status--.

In claim 34, line 5, following “device,”, insert --wherein and the event status is selected from the group consisting of a FIFO overflow condition, a FIFO underflow condition, and a line status, --.

In claim 44, line 8, following “device,”, insert --wherein and the event status is selected from the group consisting of a FIFO overflow condition, a FIFO underflow condition, and a line status, --.

2. The following is an examiner’s statement of reasons for allowance:

Claims 1-4, 9, 11, 17, 23-27, 32, 34-36, 38, 42, 44-45, 47, and 51 are allowed. The prior art alone or in combination fail to teach or make obvious on the following when considered in combination with other limitations in the claim: detecting, at the originating, the event status selected from the group consisting of a FIFO overflow condition, a FIFO underflow condition, and a line status, and identifying an event status by setting the event status indicator which is selected from a group consisting of an out of sequences SAR PDU header, a corrupted SAR PDU header, a corrupted and irrecoverable SAR PDU header, a parity bit in the SAR PDU header, a CRC field in the SAR PDU header, and a parity bit and CRC field in the SAR PDU header as recited in the independent claims 1, 11, 17, 23, 34, and 44.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Duault (USPN 5,550,819), disclosing SAR header (Fig. 1) and AAL1 in ATM network (Fig. 5).
- Tate et al. (USPN 5,93,3607), disclosing detecting the occurrence of a lost or misinserted cell by the occurrence of buffer underflow or overflow at the receiving side (col. 24, sections 7.1 and 7.2).

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nittaya Juntima whose telephone number is 571-272-3120. The examiner can normally be reached on Monday through Friday, 8:00 A.M - 5:00 P.M.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached on 571-272-3139. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nittaya Juntima
May 27, 2005

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RICKY NGO
PRIMARY EXAMINER
5/21/05